

# BORRELLI & ASSOCIATES

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Application denied. The initial pretrial conference on December 12, 2022 will continue as scheduled.

The Clerk of Court is respectfully directed to terminate the motion sequence pending at Doc. 23.

SO ORDERED.



Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
December 9, 2022

Via ECF Only

The Honorable Philip M. Halpern  
United States District Judge for the  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Re: Trentecoste, et. al v. Mavis Tire Supply, LLC 22-cv-05257-PMH

Dear Judge Halpern:

We represent named Plaintiff Salvatore Trentecoste and opt-in Plaintiffs Richard Carfora and Aaron Van Wormer, in this wage and hour lawsuit brought against Defendant Mavis Tire Supply, LLC. On November 1, 2022, the Court adjourned the parties' initial conference from November 7 to December 12, 2022, at 3:00 p.m., to accommodate the parties' mediation that was scheduled that same day. We write now, with Defendant's consent, to inform the Court that the parties intend to file a stipulation of dismissal without prejudice for Carfora, which is not the result of a settlement between Carfora and Defendant, for the Court to so-order, and a separate Rule 68 notice of acceptance for Trentecoste and Van Wormer, which upon the clerk's entry of judgment, will conclude the matter. As such, we therefore request that the Court adjourn the initial conference *sine die*.

We thank the Court for its attention to this matter.

Respectfully submitted,



Caitlin Duffy, Esq.

*For the Firm*

C: Counsel for Defendant (*via ECF*)